DOINGS OF THE LEGISLATURE.

Bill to Prevent pre-immation Against the Port of New York by Railroads —Resolution to Increase Number of Supreme Court Justices and Previde

for Vacancies in the Court of Appeals.

ALBANY, Feb. 3.—Both houses of the Legislature held short sessions to-night because many Western members were

stained on ascount of last night's storm. When Assemblyman James Tracey Bogers s bill abolishing the Boards of Managers of the State Insane Hospitals was received in the Senate for concurrence, Senator Brackett asked that it be sub-stituted for his similar bill now on the order of third reading. Senator Grady

objected and the motion was tabled.

Senator Elaberg introduced a bill recommended by the State Racing Commission, providing that hereafter no corporation Il file a certificate of organization under the Percy-Oray racing law to conduct rusning or steeplechase race meetings, proved by the State Racing Commission. Recently a corporation in which Senator Big Tim Sullivan was interested was incorporated with the Secretary of State, but it is not believed if this became a law that it would effect this corporation.

Senator Elsberg introduced a bill favored by the New York Produce Exchange and other commercial bodies, which aims to carry out the recommendations made by lation to prevent discrimination on the part of railroads against the port of New Yes in preferential rates from Buffalo to Boston, Philadelphia and other ports. The bill empowers the State Railroad Com-mission to hear complaints and to reduce or fix freight rates in this State after a public hearing. Provision is made for the enforcement of the State Railroad Com-

nission's mandates Senator Brackett introduced a bill providing where the property of a corporation is sold under foreclosure the successful id may be assigned, instead of the bidder being compelled to effect the terms of the

Senator Hennessy introduced a bill nding the charter of the New York Zobiogical Society, now operating in Bronz. Park. The charter, as it stands, prohibits any salaried officer from being a member of the Board of Directors and consequently of the Executive Committee. The Secretary, being a salaried officer, is, under the terms of the by-laws, only an ex-officio ber of the Board of Managers and Executive Committee. The bill amends bidding a manager receiving any comstrikes out that section of the charter which the society practicelly the power of maintaining only one zoological garden, and substituting another section, which provides for enlarged powers of the same general nature. The society as now op vated finds itself prevented from taking the control of the configuration. general nature. The society as now operated finds itself prevented from taking tower into its control other collections.

Senator Ahern introduced a bill to provide for the better protection of life and property by compelling gas companies to place automatic valves on all gas metres of nevent the escape of gas in case of fire. Minority Leader Palmer introduced a sometiment resolution in the Assembly thick is aimed to counteract any attempt by the Governor to exercise the right of appointing County Court Judges to sit as inference tourt Justices in New York city.

The Palmer's resolution provides that additional distincts and that from the Justices shall be elected in the First and Second Judicial districts, and that from the Justices elected to the Supreme Court the Court of Appeals shall designate these who shall constitute the Appellate Division in each department and shall designate a presiding Justice thereof, who shall act as such during his term of office and shall be a resident of the department. It case of the absence or inability to act of any Justice in the Appellate Division, the Fraciding Justice of such Appellate Division shall make a temporary designa-

the Presiding Justice of such Appellate Division. The Presiding Justice of such Appellate Division shall make a temporary designation of some Justice in the department to act in the place and stead of such absent or incapacitated Justice. If when any Appellate Division is not in session, the necessity arises for holding an extra, special or trial term in such department, the Presiding Justice of the Appellate Division of that department shall appoint a time and place for the holding of such extra, special or trial term and designate a Justice to held the same.

Concerning the Court of Appeals he would amend the existing law in regard to the selection of a Chief Judge or Associate Judge when a vacancy shall arise other than by the expiration of office, as follows:

The Court of Appeals may fill such vacancy aby arisintment. If such vacancy shall be that of third Judge the Associate Judge whose term of third Judge the Associate Judge whose term of the will soonest expire shall act as Chief Judge the court in the circular shall be a Justice of the Supreme Court its person so appointed should not be deemed to vacate his office of Justice of the 's unreme Court any longer than until the expirition of his appointment as Associate Judge of the Court of Appeals, and in the expirition of his appointment as Associate Judge of the Court of Appeals, the Appeals being so a prointed to fill the vacancy of an Associate Judge of the Court of Appeals, the Appeals being so a prointed to fill the vacancy of an Associate Judge of the Court of Appeals, the Appeals the Appeals the Appeals of such Supreme Court Justice until the expiration of his term as Associate Judge of the Court of Appeals.

Assemblyman G. H. Davis to-night introduced a concurrent revolution proposing an amendment to the State Constitution which he believes carries out the recommendations of Gov. Odell concerning the Adirondack Forest Preserve. The amendment permits the cutting of timber in the State forest preserve under such, rules as the State Forest. Pish and fame Commission shall designate. It probabilities sucam rathroads from being constituted or operated upon any State lands. The State Commission also is authorized to seach persen for camp sites, no lease to each persen for the twenty years duration and to be within to more than 250 fact of any links from The leases are to be each which the contact the camp that to fish or best within that portion leased, which had to be forested in extending the forest preserved that all moneys derived from this source are to be applied in purchasing additional lands. All lands outside at the Adirondack forest preserved the finate can sell according to the resolution, the persenced from which are to

be despeted to proclaming additional forest

THE ARERITE OF DEN HEARING. Edell Will Hegis II Today and Eapects to Fluish To-morrow

ALBANY. Fub 2 .- The hearing in the ca d Shortf Guden of Kings county, who morrow, is set for 10 o'clock, and the Governor said to-night that he expected to go on with it in the morning unless something etracted listervened Attorney-General In the will at with the Governor to assist as commed. The taking of testimony is expected to occupy more than one day, and it is the Governor e plan, after sitting on Toroniny to have the hearing progress on Westmeday to a finish.

Michael J. Dady ina not been subpressed. He is in Havana and could not be reached if his presence was desired. The Governor said he is subpressed that is subpressed that it is the subpression of the country to the country in the land heard that I had y might return to this country.

A STANDARD OF THE PROPERTY OF THE

PAY OF SENATORS AND JUDGES. Senators Refuse, by 15 to 44, to Increase Their Own Salaries.

WASHINGTON, Feb. 8.-After the routine morning business in the Senate to-day the bill to fix the salaries of certain United States Judges was taken up, the pending question being on the amendment offered by Mr. Stewart (Rep., Nev.) that from and after March 4, 1903, the salaries of Senators, Representatives and Delegates in Congress shall be \$7,500 a year. The amendment was rejected—yeas 15, nays 44, as follows : Yeas—Burton, Clark of Wyoming, Dubols, Gal-linger, Gamble, Hansborough, Hawley, Heitfeld, Kittredge, Quarles, Quay, Stewart, Turner, War-ren and Wesmore—15.

Nays-Bacon, Bard, Berry, Blackburn, Burnham, turrows, Carmack, Clapp, Clay, Culberson, Cullom, Debow, Deitrich, D. llingnam, Deillyer, Fairbanks, Frye, Gibson, Haie, Hanns, Hoar, Jones of Arkan, Mallory, Martin, Mitchell, Money, Morgan, Nelson, Matterson, Pettus, Platt of New York, Pritchard, Troctor, Simmons, Spooner, Tallaferro, Teller, Tillman and Wellington—44.

Mr. Foraker moved to include the United States Judge in Porto Rico in the class of United States District Judges.

Mr. Tillman (Dem., S. C.) asked Mr. Foraker to state whether Porto Rico was in the United States or not. Mr. Foraker replied that Porto Rico

slonged to the United States. "The question of 'belonging to' and of being 'in' the United States is a very different one." Mr. Tillman remarked.

Mr. Foreker suggested that there was no time now to discuss that question on the pending bill. "There is plenty of time now." Mr. Till-man persisted. "We might just as well, discuss the question now as at any other

discuss the question now as at any other time."

"There is no difficulty about my answering it now," said Mr. Foraker. "I will content myself by simply saying that Porto Rico belongs to the United States, and its relations have been established by Congress and been approved by the Supreme Court of the United States.

Mr. Teller (Silver Rep., Col.) argued that if the salaries of Judges in Porto Rico and Hawaii were increased, the salaries of United States Judges in the Territories should also be increased.

In view of the opposition manifested to his amendment Mr. Foraker withdrew it. Mr. Money (Dem., Miss.) expressed the opinion that Judges were now getting all the salaries that they should have. He said that he would vote against the bill and all amendments to it, and was very sorry that the bill had ever been reported at all.

Mr. Tillman called attention to a news-Mr. Tillman called attention to a newspaper article exposing the facts in relation to Judge Noyes of Alaska, who had been found guilty of improper conduct and was now in an hospital at San Francisco, but who was still drawing his salary of \$5,000 a year and \$10 a day for expenses; also in reference to District Attorney Wood of Alaska, who was in jail under a like sentence and still drawing \$5,000 a year.

Alaska, who was in jail under a like sentence and still drawing \$5,000 a year.

"By the way," Mr. Tillman asked, "whose business is it to remove these scoundrels, these convicted thieves?"

Mr. Teller asserted that the power of the President in the matter was ample. There could not be any question as to the power of the Executive to remove this Judge at any time. any time.

After further discussion the Judicial Salary bill and pending amendment went over without action.

OLEOMARGARINE BILL DEBATED. Mr. Wadsworth (Rep., N. Y.) Leads the

Opposition to the Measure. WASHINGTON, Feb. 3.-There was a renewal in the House to-day of the contest between the dairy and oleomargarine interest, which has raged in the Congress for nearly a score of years, and it will continue for two or three days longer. It is over the bill reported by the Committee on Agriculture to tax uncolored oleomar-garine one-quarter of a cent a pound and Mr. Henry (Rep., Conn.), that the House go into Committee of the Whole on the bill, was agreed to—175 to 73—and the discus-sion of the bill was begun under general

debate.

Mr. Henry was the first speaker. The pending bill, he said, would not materially decrease the manufacture and sale of oleomargarine. It would still be eaten by those who have found it a wholesome

by those who have found it a wholesome product, and because of its relative cheapness, but it would not be colored.

Mr. Wadsworth (Rep., N. Y.) said he was glad to hear at last from Mr. Henry that oleomargarine was a wholesome product.

Mr. Wadsworth's objections to the bill were generally that it was class legislation, refusing to one class of manufacturers privileges granted to another; that it was unconstitutional, that it was intended to destroy one agricultural interest for

unconstitutional, that it was intended to destroy one agricultural interest for the benefit of another.

The passage of the bill was advocated by Mesers. Haskins (Rep., Vt.) and Graff (Rep., Ill.), members of the committee reporting the bill, and antagonized by Mesers. Foster (Dem., Ill.), Burleson (Dem., Tex.) and Clayton (Dem., Ala.).

The committee then arose and the House adjourned until te-morrow.

WASHINGTON, Feb. 3. - The President today sent to the Senate the following nom-

To be Collector of Internal Revenue for the First district of Penneyivania, William McCach of Penneyivania To be Second Lieutenants of Infantry, James M Fulton, at large, Girard L. McEntee, Jr. at large, Austin M. Pardee, at large, Noble J. Wiley, at large First Lieut Ken-neth Morton, Ordnance Department, to be Capitain. Captain

H. Clair A. Mulholiand to be Pension Agent
at Philadelphia, Sidney L. Wilson of the
District of Columbia, to be Pension Agent
at Washington
Postmasters New York—Levi A. Shove.
Brewster, George E. Vali, Chester Fensavivants William & Peck, Pittston,

TO AVOID CIVIL SERVICE RULES.

Guden's staff Should Not Be Exempt.

ALBANY, Veb. 3. - The State Civil Service Commission was served to-day with orders show cause, obtained by thirty different officeholders under Sheriff Guden of Kings county, who want their places exempted from competitive civil service examinations. The orders are returnable at a special term of the Supreme Court, before Justice Maddor in Strocklyn's 19 to o'clock Wednesday morning. The orders affect all the places not already exempt and include passistant deputy sheriffs, keepers in the jail, matrons abcountants and clerks. The papers have been turned over to the Athorney-General, who has been asked to appear for the State Commission in opposition to the desired agemptions.

To Amend Actors' License Bill ALBANT, Feb. 8. The Actors' License bill is to be amended in a number of respects by its introducer. Assemilyman Ahern of Reneceiser Instead of trying to elevate the actors Mr Ahern will confine his attention to an endeavor to elevate the drama. To accomplish this he will offer an amendment to his bill, exempting actors and actresses from examination and Rosenses, but to get rid of such plays as "Zena" and "The Turtle," Mr. Abern says he will provide for a Board of Censors, to be he will provide for a Board of Censors, to be appointed by the Governor, which is to have absolute control of the production of all plays. Any play which does not meet with the approval of this board of consors, to be appointed from among reputable cities of the cotors and actresses to be represent to produced in this State.

CONFERENCE ON SCHLEY. The President Talks With Four Com manders of Vessels in Santiago Fight. WASHINGTON, Feb. 3.—President Roose-velt has determined that before rendering

a final decision on the appeal of Rear Admiral Schley he will personally inquire into the movements of the battleship Brooklyn during the memorable battle of Santtago. In furtherance of his desire to hear from eye witnesses the story of the Brooklyn's loop, her proximity to the Texas, and, in fact, her whole conduct from the time the Spanish fleet was discovered coming from the harbor until the Colon struck her colors at the close of the fight, he to-day had a conference at the White House with Rear Admiral Evans, who commanded the Iowa; Rear Admiral Taylor, who commanded the Indiana; Capt. Clark, who commanded the Oregon, and Commander Wainwright, who commanded the little Gloucester. The President had read the testimony of each of these officers, but requested that they be ordered to Washington to tell him what they could of the part taken by the Brooklyn in the destruction

They went to the White House this forenoon and were questioned by the President until after 1:30 P. M. He then invited them to luncheon and continued to hear their account of the battle. In order to secure as much credit as possible for the victory, Rear Admiral Schley has made special efforts in his appeal to have the President justify and approve Admiral Dewey's statement that he was in com-mend of the fleet. The appeal lays particular stress on the fact that the Brooklyn gave signals to the other vessels at the time the Spanish vessels emerged and later when the fight was waging. On the other hand the President has had his

the other hand the President has had his attention brought to the statement of Rear Admiral Schley as to the apparent danger to the Brooklyn from ramming, which he claimed made the loop advisable. It was said to-night that these points were inquired into particularly by the President, and that neither of the officers deviated the slightest from his statement made to the Court of Inquiry. Commander Wainwright was certain he saw no orders President, and that neither of the officers deviated the slightest from his statement made to the Court of Inquiry. Commander Wainwright was certain he saw no orders signalled by the Brooklyn during the engagement of July 3, and he was equally certain that the Spanish ships did not steam straight for the American vessels. On the contrary, he told the President that they were turning very much from the start and appeared to skirt the coast. He declared that he saw no evidence whatever that the Spanish vessels were trying to ram the Brooklyn. Rear Admiral Taylor's ship, the Indiana, was next to the Gloucester, and he saw the Brooklyn soon after the Spaniards came out. The Brooklyn was heading toward the south, or off-shore, outside the line of column. In his opinion there was no attempt at ramming, and he was certain that the Brooklyn was outside the line of battle. He saw the signal sent up from the Iowa that the "enemy is escaping."

By securing the statements of these officers the President now has information from each of the Captains of vessels in the fight with the exception of Capt. Philip, who is dead, and Capts. Cook and Chadwick of the Brooklyn and New York, respectively. Capt. Cook is ill in a hospital and cannot be questioned.

GEN. MILES AT THE WHITE HOUSE.

Long Conference With the President About Which the Utmost Secrecy Prevalls WASHINGTON, Feb. 3.-There was a onference at the White House to-day between the President and Lieut.-Gen. Miles, about which the utmost secrecy prevails, as Gen. Miles and the White House officials decline to discuss it. Several days ago Gen. Miles requested the President to make an appointment to see him privately, and it was not until this morngarine one-quarter of a cent a pound and oleomargarine made to look like butter ten cents a pound, and requiring manufacturers of and dealers in oleomargarine to take out licenses and to submit their operations to the examination of internal revenue officers. The committee was divided, five of the seventeen members dissenting from the majority bill, and submitting through the chairman, Mr. Wadsworth (Rep., N. Y.), a bill intended to prevent fraud in the sale of the article with less onerous provisions. After several rollcalls the motion of Mr. Henry (Rep., Conn.), that the House weeks ago, at the time Gen. Miles was reprimanded, is that to-day's talk was partly personal and did not refer entirely to official matters before the War Department.

One army officer said that the President, being very much interested in the preparation of plans for mimic warfare between the army and naval forces, Gen. Miles had gone to him to suggest that the General Board, now in Washington to determine the question of army posts, which has practically concluded its work, be directed to work out a plan for the training of troops to work out a pian for the training of troops to embark and disembark on transports. The President expressed in his annual message the belief that troops should be placed in camp, marched from one point to another, there embarked on transports and taken to some other point, disembarked and marched to another camp. As the General Yourd had before it the selection of either for the selection of either for the selection of either for the selection. of sites for four great military camps of instruction, it is said that Gen. Miles, who is President of the board, very probably who is President of the board, very probably went to the White House to discuss that subject with the President. No explanation is offered as to why Gen. Miles would do this when the board has niways received its instructions from the Secretary of War. Then, too, the board has practically completed its work and is now engaged in the preparation of its report to Secretary Root. This report will state the sites selected for camps one in the East, one in the South, one in the West and one on the Pacific Coast. and one on the Pacific Coast

Movements of Naval Vessels

WASHINGTON, Feb. 3. The training ship Topeka has arrived at Fort De France. The gunboat Marhias has sailed from New York for Norfolk, the collier Leonidae from San Juan for Lamberts Point; the battleships Kearsarge, Massachmetts and Alabama from San Juan for Guantanamo; the training ship Dige-from Gibraitar for Paiermo; the training ship Hartford from Kewport for Harindows and the rollier acture from Hong Kong for Manila.

Is Your Weight What If Ought to Be?

Somuch weight to so much heightat such and such an age is proper proportion, and proportion is health and health is happiness. Is your weight what it ought to be? If you are thin, scrawny, run down, not getting the good out of your meals or yourself—below healthy

weight-get

JOHANN Hoff's MALT EXTRACT

Then try the scales You'll find your cheerfulness and weight rise as equally as if they were yoked together. That a what it is for flesh and

blood, herve and tissue, strength and sleep, appetite and digestion. Dr. 11. 15. Eulerthaugh, of Jodiana, Par witten I rand on patient who began to mail intend my make age. If it weight tion, we if the I to core weight 160 its., Set is strong and teaching."
Referes pulsassitutes. Accept only Johann Hoff's and you will not be deappointed.

HOUSE REPUBLICAN CAUCUS.

FULL DISCUSSION OF SOUTHERN REPRESENTATION.

Resolution Offered to Reduce It in States Where Suffrage Is Unconstitutionally Restricted -The Southern Members Opposed and Action Was Postponed.

WASHINGTON, Feb. 3 .- After a debate of three hours over the advisability of beginning an investigation into the election laws of the different States and into the charges that the right of suffrage is unconstitutionally abridged in some instances, the caucus of the Republican members of the House to-night postponed action for one week. Great latitude in debate was permitted and there was a full and free discussion of the matter in hand.

Representative Crumpacker of Indiana, who had circulated the call for the caucus on behalf of those interested, offered a resolution to the effect that the Committee on Rules should report a resolution as a substitute for those now pending before it, providing that the Speaker should appoint a select Committee of 11 to inves-tigate whether the right to vote of any male citizen of any State is denied or abridged by the Constitution and laws of any State, except for crime, and if such is found to be the fact, the committee shall report, by bill or otherwise, such measure as may be necessary to place the represen tation of such State in the House of Representatives upon a Constitutional basis.

sentatives upon a Constitutional basis.

Mr. Crumpacker spoke at some length in support of his resolution, which, he said, he believed met with the approval of those who had supported the movement and was acceptable to them. He said there was no doubt that the Constitution imposed upon the House of Representatives the duty, as well as giving it the authority, to restrict representation of States where suffrage was unconstitutionally restricted. suffrage was unconstitutionally restricted.
Mr. Tayler of Ohio, Moody of Massachusetts and Dayton of West Virginia followed in a similar strain. They said they believed that the sentiment of their constituents was in favor of action at this Congress.

Congress.

Mr. Moody of North Carolina was the first to oppose there solutions. He appealed to the Republicans not to reduce the representation, which he said would solidify sentation, which he said would solidify sentiment in the South to such an extent that no Southern Republican member could expect to be returned, but, on the other hand to adopt a Federal election law which would give them an opportunity to secure the return of additional Repub-lican members.

lican members.

Mr. Blackburn, also of North Carolina, supported Mr. Moody.

Mr. Morris of Minnesota followed with a Mr. Morris of Minnesota followed with a vigorous speech in favor of the resolution, maintaining that the people of the North were not represented in the House in the same proportion that the people of the South were, and declaring that this state of affairs was an injustice to their constituents. It was the duty of the House, he declared, to do all it could in any direction to see that the Constitution was maintained in all respects.

respects.
Mr. Olmstead of Pennsylvania followed in a similar vein, and then Representative Cannon of Illinois, chairman of the caucus, eft the chair to speak against the resolution. Mr. Cannon's speech was a tem-perate one, and while he did not deny that perate one, and while he did not deny that something should perhaps be done in this direction, he pointed out to the canous, in a detailed history of similar movements, that in no case had they come to anything, and reminded them of the fate of the "Force bill" and the House in which it had orig-inated.

Mesers. Gibson of Tennessee and Bar-

Mesers. Gibson of Tennessee and Bartholdt of Missouri, representing the caucus of Southern Republicans, spoke against the Crumpacker resolution and in favor of the Federal election plan.

After speeches by Mr. Morrell of Pennsylvania in favor of and Mr. Parker of New Jersey against the resolution, Mr. Reeves of Illinois proposed a postponement of action. He was supported by Delegate Rodey of New Mexico in a stirring speech, in which he pleaded with the caucus not in which he pleaded with the caucus not to take hasty action in any event and urged them not to do anything which might im-peril the seats of the Southern Republicans, who had such a hard time at best. Mr.

who had such a hard time at best. Mr.
Rodey was greeted with applause.

Representative Payne of New York
closed the speechmaking by counselling
that the caucus consider the matter further. before action, and on his motion it adjourned for a week. The leading men of the House do not appear to favor any action at this time, and it is possible that after further consideration of the question the caucus will decide that the time has not come to act.

WAR TAX REPEAL BILL. Paverable Report Made to the House

-Babeeck Amendment Defeated. WASHINGTON, Feb. 3.-The Ways and Means Committee to-day, by a party vote. ordered a favorable report on the War Revenue Repeal bill. The Democratio

members reserved the right to offer amend-ments to the bill after it reaches the House While they were in sympathy with the purpose of the bill, they had several amendments which they wished to attach to It, notably that of Representative Babeock, who offered his bill to repeal the duty on steel and structural iron and other articles controlled by the Steel Trust. The proposition was defeated by a vote of 6 to 7, Mr. Babcock and Representative Tawney of Minnesota being the only Republicans to support the amendment. Representatives Hopkins of Illinois and Long of Kansas, Republicans, and Representatives Cooper and Newlands, Democrats, were absent

Chairman Payne later reported the bill to the House. His report says that the income from the war revenue taxes to Dec. 31, 1901, has been \$552,952,964. On Feb. 1 the Trea-

from the war revenue taxes to Dec. 81, 1901, has been \$552,912,964. On Feb. 1 the Treasury had an available cash balance of \$177,032,038, although \$61,196,448 had been expended in the purchase of bonds during the present fiscal year. A surplus is a more nealthy condition of affairs than a deficit," says the report, "and no harm results from it so long as there are outstanding bonds to be paid. There is no valid reason why we should continue it, however."

In the view of the minority, as presented by Representative Richardson of Tennessee, the Republicans are taken to tack for not repealing the war taxes a long time ago it also charges the Republicans with unceasonable extravagance which had prevented a repeal of these taxes up to date. The minority urge the retention of the tax on petroleum and sugar refineries, and also that the tariff laws he revised.

Representative Rebecck made his motion in order that he might go on record as being sincers in his efforts to have the tariff entrust-made goods reduced. The minority members are greatly chagrined that two of their members were sheen, Mesars Newlands and Cooper, as by their votes with those present and Mesers Babcock and Tawney, the Babcock amendment might have been attached to the bill.

FOUR PRISONERS ESCAPE.

Sawed Through the Bors of Their Cells in the Washington Workhouse.

prisoners of the District workhouse, well served in the art of jail breaking followed the example of the Biddle brothers of little thing and effected their escape at an early near this morning. The menesses of through the bare of their escape at at early near this morning. The menesses of the second floor of the workhouse and descended a the ground by means of ropes made of string following as made at breakfast time, when three of the five general well in the chaing room and the other two contings to the other two contings to the five poince explain why there was not a violence tail defreery this morning by the first floor.

The poince explain why there was not a violence tail defreery this morning by the first floor.

The poince explain why there was not a violence tail defreery this morning by the first floor.

The poince explain why there was not a violence tail defreery this morning by the first floor, the workhouse are realised in personal discomfort to escaping prisoners. Wammington Feb 3 Four 'long term' prisoners of the District workhouse, well

Ministers Haven't Powers to Decide Them

Special Cable Despatch to TEE SUN.
PEKIN, Feb. 3.—The Ministers to-day decided not to give a definite answer to the amunication from Viceroy Yuan Shih Kai, requesting that that portion of Tientsin now under the control of a foreign pro-visional government be turned over to him visional government be turned over to for administrative purposes. The Min-isters communicated on the subject with their respective Governments, but several of them have as yet received no instructions.

The Portuguese Minister requested that Portugal be allowed to have a representative on the Bankers' Commission selected o receive the indemnity payments from China. The request was refused on the ground that Portugal had not signed the protocol.

No decision has been reached concerning the indemnity claims filed in November by Sweden and Norway. It is uncertain whether these claims will be allowed, it being held that they were received too late. Decision was refused in the matter of the regulations submitted by the Bankers' Commission. The Ministers also refused to decide the questions propounded by the commission regarding the rate of exchange which the indemnity payments should be accepted and whether the minutes of the commission should be kept in the English or French language. The Ministers concluded that they had no authority to decide such questions, but each Minister will advise his own Commissioner individually.

Gen. Yung Lu. who, despite his complic ity in the Boxer movement, now holds the highest office in the empire, completed his calls upon the Ministers to-day. He received a frigid reception at most of the legations. One of the Ministers told him he hoped something would arise to prove that he was not guilty of the crimes im puted to him. Yung Lu replied that only heaven knew his sorrow for past events, which he hoped would be forgotten.

The Ministers to-day requested the dean of the Diplomatic Corps to request the customary Chinese New Year audience with the Emperor and Empress Dowager and to arrange the details of the audience. This will end the Ministers' intercourse with the Imperial family for a year.

A request made some time ago that the Chinese grant ground for a rifle range for the use of the legation guards has not been answered yet.

PEACE NOTE PUBLIC TO-DAY. Great Britain's Answer Will Also Announced.

Special Cable Desputches to THE SUN.

LONDON, Feb. 3.—In the House of Commons to-day the Rt. Hon. A. J. Balfour, the Government leader, said that the papers in regard to the peace proposals would be

ready to-morrow THE HAGUE, Feb. 3 .- In the First Chamber of the States-General this afternoon Baron Van Lyndon, the Foreign Minister, stated that a reply had been received from the British Government regarding Holland's South Africa proposals. Nothing could be communicated at present, as the British Government expressed the desire to publish the notes simultaneously at London and The Hague. The two Governments were now discussing the exact time of publication.

NEW TRANSATLANTIC RATES. From 15 to 50 Per Cent. Increase for Passengers, It Is Reported.

Special Cable Despatch to THE SUN. LIVERPOOL, Feb. 3 .-- The Journal of Commerce says the new transatlantic rates will apply to inward and outward-bound freight. The minimum rate on grain will be 11/4d. per bushel of sixty pounds and the minimum rate on provisions 10s. per ton. an increase of 33 and 10 per cent. respectively. Other increases will vary from 80 to 50 per cent. The increase in passenger rates will be from 15 to 50 per cent. in saloon and second cabin on a pro rata basis of the present fares. The steerage fares will not be changed.

Chamberlain and Rosebery Decline.

Special Cable Despatch to THE SUN. LONDON, Feb. 3.—Both Lord Rosebery and Colonial Secretary Chamberlain have declined to accept the nominations by the Liberal and Unionist students respectively of Aberdeen University for the Lord Retorship of that institution.

Dinner in Honor of Miss Roosevelt.

WASHINGTON, Feb. 3.-Miss Roosevelt was the guest of honor to-night at a dinner was the guest of honor to-night at a dinner given by Mrs. John S. Ward. Miss Roosevelt was accompanied by her guest, Miss Pruyn of Albany. The other guests were Miss Audrey Pauncefote, Miss Root, Miss Hitchcock, Miss Thora Strong, Miss Mac-Yeagh, Miss Paulding, Miss Alice Warder, Miss Helen Patten, Miss Douglas Merritt, Miss Ward, Mr. Riano, Chargé d'Affaires of the Spanish legation: Mr. Norman ritt, Miss Ward, Mr. Riano, Charge d'Affaires of the Spanish legation: Mr. Norman of the British Embassy, Mr. De Goefroy and Mr. Hermit of the French Embassy, Count Von Arnim and Baron Kap-Herr of the German Embassy, Mr. Delviso of the Argentine legation. Major Charles McCawley, Major Gilmore, Mr. Chapin, Mr. Winthrop, Mr. Bonaparte and Mr. John Seely Ward, Jr., of New York.

trgent Deficiency Hitt Reported in the

Senate. WASHINGTON, Feb. 3. - In the Senate this morning the Urgent Deficiency bill was reported back from the Committee on Appropriations with amendments, and Mr. Hale (Rep., Me.) said that he would ask action on

The bill carries a total of \$20,239.620, the The bill carries a total of \$20,230,620, the committee having recommended a net increase of \$5,163,150 over the House bill. Among the larger items are: To reimburse the Philippine Insular Pund for gunboats turned over to the United States Navy, \$208.819, coal for the navy, \$500,009, equipment of haval vessels, \$450,009. The committee struck out the House item of \$273,740 for deficiencies in the appropriation for rural free delivery.

Briarcliff Cream

is a breakfast luxury. Coffee and porridge are entirely changed by increased richness and enjoyment. Sold in bottles -25c., 50c., \$1.00 each.

CHINESE INDEMNITY QUESTIONS. PAN-GERMAN PARTY MAY SPLIT. Herr Welff's Return to Public Life Ex- NEW YORK pected to Cause a Row.

Special Cable Despatch to THE SUN.
VIENNA, Feb. 3.—With the reassembling of the Reichsrath to-morrow a question of the most intimate concern to the future of the Pan-German party comes to the fore. This is the position of Herr Wolff the Pan-German leader, whose retirement from the Reichsrath under circumstances somewhat resembling those which caused the downfall of the late Charles Stewart Parnell, the Irish leader, and his subse quent reelection have already been re ported in THE SUN'S despatches. Wolff's return to public life threatens to split the Pan-German party, an event which might have the most important influence on the racial feud between the Czechs and Ger-

A majority of the Pan-German deputies strongly oppose the public reappearance of Wolff, who was driven to resign by their censure, and his most active opponent is his former co-leader, Herr Schoenerer. On the other hand, the Pan-German press is remarkably unanimous in favor of Wolff. who is also idolized in his own constituency and by the bulk of the Pan-Germans in

It is a question whether he will prove strong enough to force the Pan-German deputies to accept his leadership, over-throwing Herr Schoenerer, or whether the party will split, forming a Wolff group and a Schoenerer group. The latter con-tingency would tend to strengthen the moderates among the Germans, thus facilitating the Government's task of harmonizing the differences between the Czechs and Germans, which have so long made parliamentary government almost impossible. The outcome is consequently of considerable public importance.

BARK GOES DOWN WITH 21. Only One Survivor From the Chanard-Channel Packet Saved. Special Cable Desputches to THE SUN.

FALMOUTH, Feb. 3.-The sole survivor of the wreck of the French bark Chanard of Dunkirk, which left Nantes last Tuesday with a crew of twenty-two, has been landed here. During the storm on Friday three of the bark's boats were washed away. The bark was hove to, but she rolled so heavily that she heeled right over. The last boat left capsized. The survivor clung to this boat all night and was picked up by a Norwegian vessel the next morning.

LONDON, Feb. 3.-The mail packet Marie Henriette, which smashed a wheel while on her way from Dover to Ostend during the storm on Saturday and became unmanageable, was towed into Ostend harbor

this morning. LONDON, Feb. 4.-Reports accumulate of severe weather in Europe. Madrid and the north of Spain are snowbound, and it is impossible for trains to move. A similar condition of affairs exists in Switzerland and in parts of France. More snow has fallen in Venice than in twenty-five vars before. There have been a large number of additional casualties in the North Sea, the English Channel and the Bay of Biscay

LONDON LIKES "ARIZONA." American Company Scores a Success in the Thomas Play.

Special Cable Despatch to THE SUN LONDON, Feb. 3 .- It was rather a risky experiment to produce in London a play depending so entirely on local color and vocabulary as Augustus Thomas's "Arizona," but Kirke La Shelle's company achieved a signal success in the piece at the Adelphi Theatre to-night. The changes necessary for the comprehension of an English audience, whose knowledge of American slang these days is quite extensive, were few and scarcely any, even of the minor points, escaped instant recognition. There is little doubt that the play will prove another on the lengthening list of American

To Revise the Rules of War

Special Cable Despatch to THE SUN. Paris, Feb. 3 .- A despatch to the Matin from Berne says the Swiss Federal Council intends to convoke an international conference, to reviee the rules of the Geneva convention, at the conclusion of the war in

King's Visit to Ireland Postponed.

Special Cable Desputch to THE SUN. LONDON, Feb. 3.-It is stated that King Edward and Queen Alexandra will not pay their proposed visit to Ireland until after the coronation.

OBITUARY.

James W. Tufts, President of the American Soda Fountain Company of Boston, founder of the Pinehurst Colomy in North Carolina, and for forty years a resident of Medford, Mass, died at his residence in North Carolina, on Sunday evening, aged 66. He was born in Charlestown, Mass, on Feb. 11, 1838. He became a manufacturer of soda fountains almost by accident. He wanted an apporatus for his drug store and designed it and had it made. It seemed to be such a good thing that he had a few more made and offered them for sale. He was a philanthropist on a large scale. In his treatment of his employees he was always liberal, and, in 1868 he established a profit-sharing system for their benefit. He was the father of Pinehurst, N. C. Years ago he bought a tract of a dozen acres there, laid out the town, erected public buildings, cottages and a hotel with accomodations for 200 guests. Mrs. Tuits, a son and a daughter survive him.

William Radam died suddenly resterday

tages and a botel with accomodations for 200 guests. Mrs Tufts, a son and a daughter survive him.

William Radam died suddenly yesterday morning at his home, 124 West Eightieth street. At haif past 4 o'clock he got out of bed to get a drink of water. As he waiked across the floor he staggered and fell into a chair. He was dead when a doctor arrived Mr. Radam was born in Germany 58 years ago. In 1866 he settled in Austin, fex. as a gardener. He had studied botany and horticulture and wrote a book on 'Plant Microbes.' In 1886 he became ill and several physicians whom he consulted told him that he was suffering from tuberculosis. A few years later he announced that he had cured himself with a microbe killer of his own invention and then he organized a stock company and put the microbe killer of his own invention and then he organized a stock company and put the microbe killer of his own invention and then he organized a stock company and put the microbe killer of his own invention and then he organized a stock company and put the microbe killer of his own invention and then he organized a stock company and put the microbe killer of his own invention and then he organized a stock company and put the microbe killer of his own invention and then was well-to-do. He leaves a widow. At his nowe lest night it was said that his death was due to heart disease.

John Joseph Hayes, who for several years was a member of the instructing staff of flarvard l'inversity, and who was widely thown a few years ago as a public reader died on Sunday at Milton, Mass. He had been a sufferer from parsiyist for hearly three years. He was born in Bioston and was about at years old. He was educated in the Boston grammar schools, at Phillips Facter Academy and at the Bridgewater Normal school While still a student he displayed orstorical powers, and for some years he attained popularity as a public reader. He then beid a place for two years at Cornell University as an inseructor in orstory and elocution, and then accepted a similar place of H

WORLD Says:

The Apollo Parlors, at No. 101
Fifth avenue, presented a glowing scene of artistic color and feminine beauty yesterday. Quite a large audience of cultured people listened with keen appreciation and enjoyment to what was unquestionably a very delightful piano performance. Enthusiasm for the Apollo rose by leaps and bounds, and at the close of the recital many lingered to play upon the piano with the Apollo, so as, some one said, "to prove how it could play with such simplicity, such martial strains, such lyrio episoles, such grand climaxes."
Four pieces from Bach, Chopin, Beethoven and Mendelssohn were played with a mastery which Beethoven and Mendelssohn were played with a mastery which proved how great an interpreter of the piano the Apollo is. In naturalness and simplicity this instrument is great. In delicate passages its touch is beautifully soft, but absolutely unattended by any failure of tone. The variety with which it plays, its perfect command over the piano and the thoroughness with which it grasps the intentions of the composer all thoroughness with which it grasps the intentions of the composer all combine to make its playing remarkably interesting—almost human. A prominent feature of the Apollo is the transposing mouthpiece, in use on the Apollo exclusively, which enables it to play the score in any key that may be desired. This mouthpiece is easily operated by an adjustable screv. It is a great advantage in any pianistic invention, especially when it is being used to accompany the voice or some particular instrument. The mouthpiece is really invaluable to instrumentally performers and singers, and greatly enlarges the scope of the attachment. It gives the Apollo a peculiar value for the home circle, because it can be used as an accompany cause it can be used as an accompaniment to any voice or to any strings or basses. The transposing mouthpiece is adjustable, and therefore allows the use of any music roll that may be imperfect through inaccuracies in manufacture or that through atmospheric influences may have shrunk. While such imperfections render a music roll useless on any other attachment, this adjustable mouthpiece makes all music rolls of practical value on the Apollo.—N. Y. World, Feb. 2, 1902. cause it can be used as an accom-

The APOLLO Company, Apollo Building, 101 Fifth Av., N. Y. (Between 17th and 18th Sts.)

COLUMBIA WINS RELAY RACE. Defeats Yale and Pennsylvania in the Garden.

Intercollegiate and interscholastic relay racing, special events and record-breaking attempts by American and international champions were the main features of the Knickerbocker A. C. games at Madison Square Garden last night. A crowd roughly estimated at 3,000 persons occupied the seats of the amphitheatre, liberally interspersed with the gaily clad fair sex, and this attendance was the largest seen at a 'cherry dia-mond' carnival since the palmy days of athletics in the early '90's. The most attrac-tive event of the night was the intercollegiate relay of two miles in which representa-tives of Yale, Pennsylvania and Columbia battives of Yale, Pennsylvania and Columbia battled for supremacy. Each man ran a half mile, and during the progress of the race the excifement was intense. On account of some recent fast trials the Columbia runners were much fancied by the crowd. In fact there was hardly a soul present but "rooted" for the warers of the "blue and white." For the first two relays. Pennsylvania held the lead, but toward the third relay Bishop of Columbia went to the front and then pandemonium was let loose in the galleries and elsewhere. From that to the finish it was nothing less than a parade, Columbia winning by about sixty yards. Pennsylvania finished second, but the team was disqualified, it being stated by the officials that Smith did not touch Orton to make the last relay connection. Yale received second prize.

There were three field events and the only one to excite interest was throwing the 58-pound weight handicap, from stand without of the colors.

one to excite interest was throwing the aspound weight handicar, from stand without follow. The old record was 27 feet 4 inches made by J. S. Mitchell at the Canadian championships on Sept. 28, 1889, and was thrown with one hand. In the old days all competitors threw with one hand. Last night Flanagan used two hands and his throw measured 28 feet 5 inches.

The event which really brought down the house was the finish of the three miles scratch race. A hundred yards from home Alec Grant let himself out in surprising fashion and sprinted for the tape closely followed by the veteran Vogelius. Bowen of Pennsylvania raced home a good third. The summary: and weight handicap, from stand

by the veteran Vogellus Bowen of Pennsylvania raced home a good third. The summary:

Special Relay Race: eight laps—Won by West Side Branch V M. C. A. with W. J. H. Orr. K. Douglas, W. H. Odell and John Rude; St. Clair A. C. second, With P. H. Pligrim, J. Sanchez, R. Hysti and J. G. Suillvan. Time, 2 minutes, 55; seconds.

60-Yard Run, Novice—Won by Albert A. Celler, Horace Mann School, Homer C. Ryerson, Fourth Regiment A. A. second, H. W. Haines, Columbia University, third. Time, 7 seconds.

60-Yard Run, Handicap—Won by J. E. Peters, Knickerbocker A. C., 14 feet James J. Fallon, Fordham College, 18 feet, second, John A. Rowan, Villa Nova College, 18 feet, second, John A. Rowan, Villa Putting 19-Pound Shot, Handicap—Won by J. T. Mahoney, Knickerbocker A. C., 5 feet, with an actual put of 35 feet 44 inches, Joe Gray, Pastime A. C., 1 foot, second, with 41 feet 24, inches, A. T. Kelfien, Mohawk, A. C., 7 feet, third, with 36 feet 154 inches.

60 Yard Run, Scratch, for Public School Boys of Greater New York, Won by Weburne Schepflin, Public School No. 2, Brookh in James H. Wallace, Jr., Public School No. 3, Brookh in James H. Wallace, Jr., Public School No. 8, Intrd. Fine, I minute 28 i 4 seconds.

Therendictate Team Relay Hace, Two Miles—new, Public School No. 80, Intrd. Fine, I minute 28 i 4 seconds.

Therendictate Team Relay Hace, Two Miles—new, Public School No. 80, Intrd. Fine, I minute 28 i 4 seconds.

Therendictate Team Relay Hace, Two Miles—work of F. nefer and D. W. Franshot, Pennsylvania Laversity, second, with J. Stevens, A. C. Ward, F. A. Saratch, with 25 feet 5 inches, John McCarles, Pastime A. C. 4 feet, second, with as actual throw of 22 feet it inches, A. H. Buschman, Star A. 4 feet, third, with 25 feet 5 inches, Flangage at throw is a new record.

4 feet, third, with 22 feet 54, inches throw is a new record, Run, Handicap—Won by Arthur outh Regiment A. A. 30 yerds. W. F. G. Kniekerbooker A. C. 20 yards, second-oyle, National A. C. 30 yards, sand-oyle, National A. C. 30 yards, sand-oyle, National A. C. 30 yards, sand-oyle, National hoyle, National A. C. 39 January 1 2 accounds:
12 accounds:
1149 School with A. Swan, W. McMerkin,
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1149 School with A. Swan, W. McMerkin,
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Hunalog High Josep. Handles Jull Sew York vity, 8 Inches mp of 5 feet 8 inches : H Ze-linches, second, with 5 feet 8 in-stioner 5 (Observe this w

At druggints
The Five Cent packet is enough
a occasion. The family bottle
tains a supply for a year.